

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00461-TNM**

EQUITY FORWARD v. U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 02/25/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**EQUITY FORWARD**

represented by **Christine H. Monahan**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 788-0606
Email: christine.monahan@americanoversight.org
ATTORNEY TO BE NOTICED

Sara Kaiser Creighton
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 869-5246
Fax: (202) 871-6523
Email: sara.creighton@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Daniel Patrick Schaefer**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2531
Fax: (202) 252-2599
Email: Daniel.Schaefer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/25/2019	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number 0090-5964585) filed by EQUITY FORWARD. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons as to USAO, # <u>3</u> Summons as to AG, # <u>4</u> Summons as to HHS)(Creighton, Sara) (Entered: 02/25/2019)
02/25/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by EQUITY FORWARD (Creighton, Sara) (Entered: 02/25/2019)
02/25/2019		Case Assigned to Judge Trevor N. McFadden. (zef,) (Entered: 02/25/2019)
02/25/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 02/25/2019)

02/25/2019	<u>4</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Signed by Judge Trevor N. McFadden on 2/25/19. (lctnm1) (Entered: 02/25/2019)
02/25/2019	<u>5</u>	ERRATA by EQUITY FORWARD <u>1</u> Complaint, filed by EQUITY FORWARD. (Creighton, Sara) (Entered: 02/25/2019)
03/11/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/26/2019. (Answer due for ALL FEDERAL DEFENDANTS by 3/28/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/04/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 3/1/2019 (Creighton, Sara) (Entered: 03/11/2019)
03/28/2019	<u>7</u>	NOTICE of Appearance by Daniel Patrick Schaefer on behalf of U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Schaefer, Daniel) (Entered: 03/28/2019)
03/28/2019	<u>8</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Schaefer, Daniel) (Entered: 03/28/2019)
03/29/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the schedule on or before April 29, 2019. Signed by Judge Trevor N. McFadden on 3/29/2019. (lctnm1) (Entered: 03/29/2019)
03/29/2019		Set/Reset Deadlines: Joint Status Report due by 4/29/2019. (hmc) (Entered: 03/29/2019)
04/29/2019	<u>9</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 04/29/2019)
04/30/2019		MINUTE ORDER. Upon consideration of <u>9</u> Joint Status Report, the parties are ORDERED to file another Joint Status Report, with an update on the parties' discussions and a proposed schedule for further proceedings, on or before May 29, 2019. Signed by Judge Trevor N. McFadden on 4/30/2019. (lctnm1) (Entered: 04/30/2019)
04/30/2019		Set/Reset Deadlines: Joint Status Report due by 5/29/2019. (hmc) (Entered: 04/30/2019)
05/29/2019	<u>10</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 05/29/2019)
05/29/2019		MINUTE ORDER. Upon consideration of <u>10</u> Joint Status Report, the parties are ORDERED to file another Joint Status Report, with an update on the parties' discussions and a proposed schedule for further proceedings, on or before June 27, 2019. Signed by Judge Trevor N. McFadden on 5/29/2019. (lctnm1) (Entered: 05/29/2019)
05/30/2019		Set/Reset Deadlines: Joint Status Report due by 6/27/2019. (hmc) (Entered: 05/30/2019)
06/27/2019	<u>11</u>	Joint STATUS REPORT by EQUITY FORWARD. (Creighton, Sara) (Entered: 06/27/2019)
07/01/2019		MINUTE ORDER. Upon consideration of <u>11</u> Joint Status Report, the parties are ORDERED to file another Joint Status Report, with an update on the parties' discussions and a proposed schedule for further proceedings, on or before August 2,

		2019. Signed by Judge Trevor N. McFadden on 7/1/19. (lctnm1) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Joint Status Report due by 8/2/2019. (hmc) (Entered: 07/01/2019)
07/26/2019	<u>12</u>	NOTICE of Appearance by Christine H. Monahan on behalf of EQUITY FORWARD (Monahan, Christine) (Entered: 07/26/2019)
08/02/2019	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/02/2019)
08/02/2019		MINUTE ORDER. Upon consideration of <u>13</u> Joint Status Report, the parties are ORDERED to file another Joint Status Report, with an update on the parties' discussions and a proposed schedule for further proceedings, on or before August 23, 2019. Signed by Judge Trevor N. McFadden on 8/2/2019. (lctnm1) (Entered: 08/02/2019)
08/05/2019		Set/Reset Deadlines: Joint Status Report due by 8/23/2019. (hmc) (Entered: 08/05/2019)
08/23/2019	<u>14</u>	Joint STATUS REPORT by EQUITY FORWARD. (Attachments: # <u>1</u> Text of Proposed Order)(Creighton, Sara) (Entered: 08/23/2019)
08/26/2019		MINUTE ORDER. Upon consideration of <u>14</u> Joint Status Report, the parties are ORDERED to file another Joint Status Report, with an update on the parties' discussions and a proposed schedule for further proceedings, on or before August 30, 2019. Signed by Judge Trevor N. McFadden on 8/26/2019. (lctnm1) (Entered: 08/26/2019)
08/26/2019		Set/Reset Deadlines: Joint Status Report due by 8/30/2019. (hmc) (Entered: 08/26/2019)
08/30/2019	<u>15</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Schaefer, Daniel) (Entered: 08/30/2019)
09/03/2019		MINUTE ORDER. In light of <u>15</u> Joint Status Report, the Court hereby adopts the parties proposed schedule and processing rates. The parties are also ORDERED to file another joint status report every 60 days, starting on October 29, 2019. SO ORDERED. Signed by Judge Trevor N. McFadden on 9/3/19. (lctnm1) (Entered: 09/03/2019)
09/03/2019		Set/Reset Deadlines: Joint Status Report due by 10/29/2019, and every 60 days thereafter. (hmc) (Entered: 09/03/2019)
10/29/2019	<u>16</u>	Joint STATUS REPORT by EQUITY FORWARD. (Creighton, Sara) (Entered: 10/29/2019)